
Public Utilities Commission of the State of California

Public Agenda 3285

Thursday, December 1, 2011 9:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

Mark J. Ferron

Michel Peter Florio

Catherine J.K. Sandoval

Timothy Alan Simon

For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.

Website: <http://www.cpuc.ca.gov>

Scheduled Commission Meetings 505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (9:00 a.m.) <i>Open to the Public</i>
Monday, December 12, 2011 (San Francisco)	Thursday, December 01, 2011 (San Francisco)
Monday, January 09, 2012 (San Francisco)	Thursday, December 15, 2011 (San Francisco)
Monday, January 30, 2012 (San Francisco)	Thursday, January 12, 2012 (San Francisco)
Monday, February 13, 2012 (San Francisco)	Thursday, February 02, 2012 (San Francisco)
Monday, March 05, 2012 (San Francisco)	Thursday, February 16, 2012 (San Francisco)

**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

Matters of Public Interest

For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.

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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 29, 31, 44

Public Comment:

Consent Agenda

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.

Consent Agenda - Orders and Resolutions

Item	Preliminary Categorizations and Hearing Determinations for
1	Recently Filed Formal Applications

[10815]

Res ALJ 176-3285

PROPOSED OUTCOME:

® Ratification of preliminary determination of category for proceedings initiated by application. The Preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.

ESTIMATED COST:

® None.

Consent Agenda - Orders and Resolutions (continued)**Item Amendment of Telco Industry Rules Under General Order**
2 96-B

[10617]

Res T-17327**PROPOSED OUTCOME:**

® Authorizes Telco Industry Rule 10-Service Lists for Advice Letter Filings to the Communications Division.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568842

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3280, Item 28 9/8/2011 (Peevey);
Agenda 3281, Item 13 9/22/2011 (Staff);
Agenda 3282, Item 9 10/6/2011 (Staff);
Agenda 3283 , Item 8 10/20/2011 (Staff);
Agenda 3284, Item 6 11/10/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Pacific Gas and Electric Company, San Diego Gas and**
3 **Electric Company and Southern California Edison**
[10679] **Company's Tariffs and Power Purchase Agreements for**
 Eligible Combined Heat and Power Facilities

Res E-4424, PG&E Advice Letter (AL) 3696-E-C, SDG&E AL 2179-E-B and SCE AL 2485-E-B, filed on May 16, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Approves with modifications tariff sheets and two standard offer contracts provided by Pacific Gas and Electric Company, San Diego Gas and Electric Company and Southern California Edison Company for the purchase of excess power from eligible combined heat and power facilities.
- ® Requires the named utilities to file Tier 1 compliance advice letters with approved modifications to the tariff sheets and contracts within seven days of Resolution approval.

ESTIMATED COST:

- ® Actual costs are unknown at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569213

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3282, Item 20 10/6/2011 (Staff);
Agenda 3283 , Item 13 10/20/2011 (Staff);
Agenda 3284, Item 7 11/10/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)**Item Mecchi Water Company's General Rate Increase to Produce
4 Additional Revenue**

[10695]

Res W-4887, Advice Letter 18 filed on March 14, 2011 - Related matters.**PROPOSED OUTCOME:**

- ® Grants authority to file a supplemental advice letter to incorporate the Summary of Earnings and the revised rate schedules in Appendix B.
- ® Grants authority to file Tier 2 advice letters on or before November 20, 2011 and 2012 for the escalation rates of 2012 and 2013.
- ® Bars Mecchi Water company (Mecchi) from recovery of uncollected revenue for the period between April 24, 2011 – the effective date of the interim rates – and the effective date of this rate increase.
- ® Bars Mecchi from deferred revenue collection for all 2011, 2012, and 2013.
- ® Mecchi shall not request recovery of the Consumer Price Index for years 2011 and 2012.
- ® Orders Mecchi to file a Tier 1 advice letter within 30 days from the effective date of this resolution to revise its Title Page, Rules, and Forms to meet current standards.

ESTIMATED COST:

- ® \$14,434 or 90.00% for Test Year 2011.
- ® \$2,952 or 9.69% for 2012.
- ® \$2,953 or 8.83% for 2013.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569658

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3283 , Item 17 10/20/2011 (Ferron);

Agenda 3284, Item 8 11/10/2011 (Simon)

Consent Agenda - Orders and Resolutions (continued)**Item California American Water Company to Implement a
5 Surcharge**

[10721]

Res W-4889, Advice Letter 905-W filed on May 27, 2011 - Related matters.**PROPOSED OUTCOME:**

® Approves request to amortize \$1,146,03.61 in the Water Contamination Litigation Memorandum Account for its Los Angeles District with a surcharge of \$0.1156 per hundred cubic feet for a 12-month period.

® Authorizes the company to transfer \$1,146,053.61 from its Water Contamination Litigation Memorandum Account to a balancing account for recovery.

® Authorizes the company to earn interest on the balance in this balancing account at the 90-day commercial paper rate.

ESTIMATED COST:

® \$1,146,053.61.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568566

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3284, Item 12 11/10/2011 (Staff)**Item Disclosure of Records of an Investigation
6**

[10766]

Res L-426

Authorizes disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of a May 7, 2010 incident involving a third-party contact and overhead conductors owned by Southern California Edison Company in Villa Park, Orange County, California, once the investigation is complete.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569492

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)**Item Disclosure of Records of an Investigation****7**

[10767]

Res L-427

Authorizes the disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of an electrical wire injury incident that occurred on February 20, 2011 in Buena Park, California, once the investigation is complete; and other reports of completed investigations of incidents involving Southern California Edison Company facilities that resulted in personal injury or property damage, and all reports of downed live electric power lines, within the last ten years.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569315

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Item San Diego Gas and Electric Company's Confirmation of**8**

[10772]

**Mack Clapp to Serve on the Nuclear Plants
Decommissioning Master Trust Funds Committee**

Res E-4440, Advice Letter 2272-E filed on July 25, 2011 and revised on September 26, 2011 - Related matters.

PROPOSED OUTCOME:

® Confirms the appointment of Mack Clapp to serve on San Diego Gas & Electric Company's Nuclear Plants Decommissioning Master Trust Committee for a five-year term starting on the effective date of this Resolution.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569635

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)**Item Decision Adopting Settlement Agreement****9**

[10774]

A10-12-012

In the Matter of Application of Foresthill Telephone Company, dba Sebastian, to Review Intrastate Rates and Charges and Rate of Return for Telephone Service Furnished Within the State of California, and Increase Selected Rates.

PROPOSED OUTCOME:

- ® Adopts an all-party Settlement Agreement that resolves all issues.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$891,110 (18.8%) per year effective January 1, 2012.

(Comr Sandoval - ALJ Mattson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569216

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

Item Vessel Common Carriers to Adjust Fares and Rates**10**

[10776]

Res TL-19103**PROPOSED OUTCOME:**

® Grants the request of Blue & Gold Fleet, L.P., Catalina Freight Line, and Star & Crescent Boat Company to authorize vessel common carriers to adjust their fares and rates within a “zone of reasonableness” that has an upper limit of 20% above currently authorized base fares and rates.

ESTIMATED COST:

® No immediate impact on fares and rates.

® If fuel prices increase, however, the increases will likely be passed on to the users of vessel common carrier services.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568951

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)

**Item Southern California Edison Company's Confirmation of
11 Daniel P. Garcia**

[10777]

Res E-4441, Advice Letter 2632-E, filed on September 21, 2011 - Related matters.

PROPOSED OUTCOME:

® Grants Southern California Edison Company's request to confirm its nominee, Daniel P. Garcia, to the Committees of its Nuclear Decommissioning Trust Funds for another five year term starting on the effective date of this Resolution.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568696

Agenda 3284, Item 33 11/10/2011 (Simon)

**Item Ponderosa Telephone Company's Compliance With
12 Ordering Paragraph 5 of Commission Decision 10-05-052**

[10783]

Res T-17297

PROPOSED OUTCOME:

® The increased Executive Salaries amount will result in the California High Cost Fund-A (CHCF-A) support of \$3,792,252 for test year 2009, which is an increase of \$92,464 from the amount of \$3,699,788 which had been granted in Decision 11-05-036.

ESTIMATED COST:

® \$92,464 in addition to CHCF-A funding.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569631

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)**Item San Diego Gas & Electric Company to Acquire CalPeak EI
13 Cajon Energy Facility**

[10786]

A11-01-004**PROPOSED OUTCOME:**

- ® Grants San Diego Gas & Electric Company (SDG&E) authority to acquire CalPeak EI Cajon Energy Facility.
- ® Authorizes SDG&E to establish a memorandum account to record revenue requirement until a decision adopting SDG&E's revenue requirements is issued in Application 10-12-005.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$16.8 million.

(Comr Peevey - ALJ Yip-Kikugawa)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569466*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

Consent Agenda - Orders and Resolutions (continued)**Item SureWest TeleVideo to be Designated as an Eligible
14 Telecommunications Carrier**

[10787]

Res T-17345**PROPOSED OUTCOME:**

® SureWest TeleVideo will be designated as an Eligible Telecommunications Carrier to provide federal Lifeline and Link-Up services in the Sacramento and Placer Counties of California.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569339

Pub. Util. Code § 311 – This item was mailed for Public Comment.

**Item San Diego Gas & Electric Company's Renewable Energy
15 Power Purchase Agreement With Solar Gen 2, LLC**

[10789]

Res E-4437, Advice Letter 2279-E filed on August 23, 2011 - Related matters.**PROPOSED OUTCOME:**

® Approves cost recovery for the long-term renewable energy power purchase agreement (PPA), as amended, between San Diego Gas & Electric Company and Solar Gen 2, LLC.

® The PPA, as amended, is approved without modifications.

ESTIMATED COST:

® Costs of the PPA are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569514

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)

**Item Addressses Motion to Withdraw and Dismisses the
16 Proceeding with Conditions**

[10790]

A11-01-025

In the Matter of the Application of U.S. Telecom Long Distance, Inc., for a Certificate of Public Convenience and Necessity to Provide Resold Commercial Local Exchange and Interexchange Telecommunications Services within the State of California.

PROPOSED OUTCOME:

- ® Approves motion of U.S. Telecom Long Distance, Inc. to withdraw its application for a certificate of public convenience and necessity for authority to provide resold local exchange and interexchange services in the service territories of Pacific Bell Telephone Company, dba AT&T California.
- ® Dismisses the proceeding with conditions.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Colbert)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569632

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

Item Application for Authority to Encumber Public Utility Assets**17**

[10791]

A11-08-013

In the Matter of the Application of Crimson California Pipeline L.P., pursuant to Section 851 of the Public Utilities Code, for Authority to Encumber Certain Public Utility Pipeline Assets.

PROPOSED OUTCOME:

- ® Grants application to enter credit agreement with Bank of Nova Scotia and pledge assets to bank as security.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Ferron - ALJ Bemmesderfer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=525094

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

Item **California High Cost Fund-A Current Year 2012 Funding**
18 **Resolution for the 14 Small Incumbent Local Exchange**
[10796] **Carriers**

Res T-17346

PROPOSED OUTCOME:

® Adopts a California High Cost Fund-A support for each of the 14 Small Incumbent Local Exchange Carriers for Calendar Year 2011.

ESTIMATED COST:

® \$36,550,929.74.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569383

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)**Item The California Department of Water Resources Revised 2012
19 Revenue Requirement Determination**

[10798]

R11-03-006

Order Instituting Rulemaking to Consider the Annual Revenue Requirement Determination of the California Department of Water Resources and related issues.

PROPOSED OUTCOME:

® Allocates the California Department of Water Resource's (DWR) revised 2012 revenue requirement determination of \$923 million to the electricity customers of Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (SCE) using the allocation methodology adopted in Decision (D) 05-06-060, as modified by D08-11-056.

® The allocation will result in DWR recovering its electric power costs and bond-related financing costs for 2012 from the electric customers of these three utilities.

® As shown in Appendix A of this decision, the Power Charges of \$71 million, to provide the necessary funds to cover DWR's 2012 energy costs, are allocated to the customers of PG&E, and SDG&E at \$0.08475 and \$0.04083 per kilowatt-hour, respectively.

® The Bond Charge of \$852 million is allocated to the customers of all three utilities at \$0.00513 per kilowatt-hour.

ESTIMATED COST:

® \$923 million.

(Comr Florio - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568571

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)**Item Southern California Edison Company's Appeal of Resolution
20 E-4392**

[10799]

Res E-4400, Appeal of Resolution E-4392 Filed on February 14, 2011 - Related matters.**PROPOSED OUTCOME:**

® Denies the appeal of Executive Director's Resolution E-4392, and finds that Resolution E-4392 correctly disposed of the protests to Advice Letter 2517-E-A.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=554080

Pub. Util. Code § 311 – This item was mailed for Public Comment.

**Item Southern California Edison Company's Fixed Energy Price
21 Agreements With Three Existing Qualifying Facilities**

[10800]

Res E-4443, Advice Letter 2608-E Filed on July 29, 2011 - Related matters.**PROPOSED OUTCOME:**

® Approves a request by Southern California Edison Company to enter into short-term Fixed Energy Price Agreements with three existing renewable energy Qualifying Facilities and to recover in rates all payments made under each such agreement.

ESTIMATED COST:

® \$58.68 million over the term of the contracts until June 2014.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569587

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)

**Item 2011 Market Price Referent Values for use in the 2011
22 Renewables Portfolio Standard Solicitations**

[10805]

Res E-4442

PROPOSED OUTCOME:

- ® Formally adopts the 2011 Market Price Referent values for use in the 2011 Renewables Portfolio Standard solicitations.
- ® This Resolution is made on the Commission's own motion.

ESTIMATED COST:

- ® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569592

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)**Item Addresses Motion to Withdraw and Dismisses Proceeding
23 With Conditions**

[10806]

A11-01-027

In the Matter of the Application of Consumer Telcom, Inc., for a Certificate of Public Convenience and Necessity to Provide Resold Commercial Local Exchange and Interexchange Telecommunications Services within the State of California.

PROPOSED OUTCOME:

® Approves the motion of Consumer Telcom, Inc. to withdraw its application for a certificate of public convenience and necessity for authority to provide resold commercial local exchange and interexchange services in the service territories of Pacific Bell Telephone Company, d/b/a AT&T California.

® Dismisses the proceeding with conditions.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Colbert)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569698

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

Item **Pacific Gas and Electric Company's Third Proposed**
24 **Amendment to Existing Qualifying Facility Contract**
[10807]

Res E-4427, Advice Letter 3843-E filed on May 10, 2011 - Related matters.

PROPOSED OUTCOME:

® Approves the Proposed Amendment of the Existing Qualifying Facility contract between DG Fairhaven Power and Pacific Gas and Electric Company with modifications.

ESTIMATED COST:

® Actual Costs are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569512

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)

Item Park Water Company and Apple Valley Ranchos Water
25 Company's Transfer of Control to Western Water Holdings
[10808] LLC

A11-01-019

Application of Western Water Holdings, LLC, PWC Merger Sub, Inc., Park Water Company and Apple Valley Ranchos Water Company for Authority for Western Water Holdings, LLC to Acquire and Control Park Water Company and Apple Valley Ranchos Water Company.

PROPOSED OUTCOME:

- ® Approves the transfers of control of Park Water Company and Apple Valley Ranchos Water Company to Western Water Holdings LLC.
- ® Requires Western Water Holdings LLC to file another application no later than 18 months before it is dissolved, or otherwise terminated, or modified.
- ® Closes the proceeding.

ESTIMATED COST:

- ® No change to rates or service.

(Comr Peevey - ALJ Long)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569652

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

**Item Southern California Edison Company's Contract With Puget
26 Sound Energy, Inc.**

[10809]

Res E-4292, Advice Letter (AL) 2358-E filed on July 13, 2009, supplemental AL 2358-E-A filed on November 16, 2009, supplemental AL 2358-E-B filed on April 1, 2011 and supplemental AL 2358-E-C filed on April 15, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Denies cost recovery for Southern California Edison Company's contract with Puget Sound Energy, Inc.
- ® Denies the contract without prejudice.

ESTIMATED COST:

- ® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569600

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline**27**

[10828]

R09-01-019

Order Instituting Rulemaking to Examine the Commission's Energy Efficiency Risk/Reward Incentive Mechanism.

PROPOSED OUTCOME:

® Extends the statutory deadline of this proceeding to February 10, 2012.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=555213

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

Item **Simi Valley District and Orange County Customers of Region**
28 **III to Refund Money in the Mandatory Conservation**
(Rev.) **Rationing Implementation Memorandum Accounts**
[10838]

Res W-4894, Advice Letter (AL) 1452-W and AL1453-W filed on July 21, 2011 - Related matters.

PROPOSED OUTCOME:

® Authorizes refunds, via surcredits, of \$560,171 and \$2,078,455 to Simi Valley District and Orange County Area customers, respectively, to refund money in the mandatory conservation rationing implementation memorandum accounts and to close these accounts.

ESTIMATED COST:

® \$560,171 for Simi Valley District and \$2,078,455 for Orange County Service Area.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569581

11/29/2011 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline**29**

[10842]

C10-12-002

Clarence Anthony Bush, Ph.D. and Marciana F. Bush vs. Pacific Bell Telephone Company dba AT&T California.

PROPOSED OUTCOME:

® Extends the statutory deadline for this proceeding until March 31, 2012.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Hymes)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=554662

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline**30**

[10843]

A10-01-022

Application of Pacific Gas and Electric Company to Recover the Costs Associated with Renewal of the Diablo Canyon Power Plant Operating Licenses.

PROPOSED OUTCOME:

® Extends the statutory deadline for this proceeding until February 21, 2012.

ESTIMATED COST:

® None.

(Comr Florio - ALJ Barnett)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568445

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)**Item Order Extending Statutory Deadline****31**

[10845]

I10-12-010

Order Instituting Investigation on the Commission's own motion into the operations, practices, and conduct of Telseven, LLC, Calling 10 LLC dba California Calling 10, and Patrick Hines, an individual, to determine whether Telseven, Calling 10, and Patrick Hines have violated the laws, rules and regulations of this State in the provision of directory assistance services to California consumers.

PROPOSED OUTCOME:

® Extends the statutory deadline for this proceeding until December 16, 2012.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Bushey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=557790

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Consent Agenda - Orders and Resolutions (continued)**Item San Diego Gas & Electric Company's Issuance of a
32 Short-Term Debt of \$400 Million**

[10846]

A11-08-003

In the Matter of the Application of San Diego Gas & Electric Company, for Authority to Increase its Short-Term Borrowing Authorization to an Aggregate Amount not to Exceed \$400,000,000 in Addition to that Amount Otherwise Authorized by Public Utilities Code Section 823(c).

PROPOSED OUTCOME:

® Grants San Diego Gas & Electric Company (SDG&E) authority under Public Utilities Code § 816 et seq to issue \$400 million of short-term debt through December 31, 2015 in excess of the amount allowed by Public Utilities Code § 823(c), for the following purposes:

- ® Additions and extensions of its utility plant.
- ® Under-collections of SDG&E's balancing accounts.
- ® Retirements, tender, calls or other refunding of SDG&E's long-term debt.
- ® Financing of SDG&E's nuclear fuel inventories and customer commodity hedge cash requirements.
- ® To satisfy such other short-term cash needs that may arise from time to time.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=555236

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)**Item Decision of Appeals of Categorization****33**

[10853]

A11-06-006, A11-06-029, A11-07-001 - Related matters.

In the Matter of the Application of San Diego Gas & Electric Company for Adoption of its Smart Grid Deployment Plan.

PROPOSED OUTCOME:

® Rejects the appeal of categorization filed by Californians for Renewable Energy, Inc. and reaffirms the categorization of this proceeding as quasi-legislative.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Sullivan)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568382

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Consent Agenda - Orders and Resolutions (continued)**Item Pacific Gas and Electric Company's Fixed Energy Price
34 Amendments**

[10862]

A11-08-005

Application of Pacific Gas and Electric Company for Approval of Fixed Energy Price Amendments With Existing Renewable Qualifying Facilities and Associated Cost Recovery.

PROPOSED OUTCOME:

- ® Approves Fixed Energy Price Amendments between Pacific Gas and Electric Company and 48 existing renewable Qualifying Facilities.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Ratepayer impact expected to be minimal.

(Comr Ferron - ALJ Gamson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568886

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)**Item California Broadband Cooperative, Inc.'s Certificate of Public
58 Convenience and Necessity****(Rev.)**

[10871]

A11-09-010

Application of California Broadband Cooperative, Inc. for Authority to Operate as a Competitive Provider of Full Facilities-Based and Resold Local Exchange and Interexchange Telecommunications Service within the State of California.

PROPOSED OUTCOME:

® Grants California Broadband Cooperative, Inc. a Certificate of Public Convenience and Necessity in order to provide full facilities-based and resold local exchange and interexchange telecommunications services.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569747

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

11/21/2011 - This item was not listed on the agenda distributed to the public.

Consent Agenda - Intervenor Compensation Orders**Item Intervenor Compensation Request of Ruth Henricks****35**

[10771]

A09-08-019

In the Matter of the Application of San Diego Gas & Electric Company for Authorization to Recover Unforeseen Liability Insurance Premium and Deductible Expense Increases as a Z-Factor Event.

PROPOSED OUTCOME:

® Denies Ruth Henricks intervenor compensation due to failure to demonstrate substantial contribution to Decision 10-12-053.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Bushey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569622

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Intervenor Compensation Orders (continued)**Item Compensation to The Utility Reform Network****36**

[10826]

A08-11-001, R06-02-013, R04-04-003, R04-04-025, R99-11-022 - Related matters.

Application of Southern California Edison Company (U 338-E) for Applying the Market Index Formula and As-Available Capacity Prices Adopted in D.07-09-040 to Calculate Short-Run Avoided Cost for Payments to Qualifying Facilities Beginning July 2003 and Associated Relief.

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$335,174.56 in intervenor compensation for contributions to Decision (D) 10-12-035 and D11-03-051.

ESTIMATED COST:

® Ratepayers of Southern California Edison Company, Pacific Gas and Electric Company, and San Diego Gas & Electric Company will pay the awarded amount of \$335,174.56, plus interest.

(Comr Ferron - ALJ Wetzell)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=554562

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Intervenor Compensation Orders (continued)**Item Compensation to The Greenlining Institute****37**

[10864]

R09-07-027

Order Instituting Rulemaking for the Purpose of Reviewing and Potentially Amending General Order 156 and to Consider Other Measures to Promote Economic Efficiencies of an Expanded Supplier Base and to Examine the Composition of the Utilities' Workforce.

PROPOSED OUTCOME:

® Awards The Greenlining Institute \$18,208 for substantial contribution to Decision 11-05-019.

ESTIMATED COST:

® The California Public Utilities Commission Intervenor Compensation Fund will pay \$18,208, plus interest.

(Comr Peevey - ALJ Darling)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=555067

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Regular Agenda

Regular Agenda - Energy Orders

Item Regulations to Reduce Fire Hazards with Overhead Power 38 Lines and Communication Facilities

(Rev.)

[10475]

R08-11-005

Order Instituting Rulemaking to Revise and Clarify Commission Regulations Relating to the Safety of Electric Utility and Communications Infrastructure Provider Facilities.

PROPOSED OUTCOME:

- ® Adopts regulations to reduce the fire hazards associated with overhead power lines and aerial communication facilities located in close proximity to power lines.
- ® Establishes a new Phase 3 of this proceeding to (1) revise Section IV of General Order 95 to reflect modern practices and to incorporate a new High Fire-Threat District; (2) develop a plan for the Consumer Protection and Safety Division to collect data on power-line fires and formulate fire-prevention measures; and (3) develop maps of areas where power-line fires are more likely to occur.
- ® Identifies the regulatory mechanisms that cost-of-service utilities should use to seek recovery of the costs they incur to comply with the adopted regulations.
- ® Denies a request by certain parties to open a new rulemaking proceeding to consider if fire risk should be added to the list of reasons to permit undergrounding of power-line facilities pursuant to electric Tariff Rule 20.

ESTIMATED COST:

- ® The adopted regulations will likely increase costs, but the amount is unknown.
- ® The cost of the new regulations is more than offset by the public-safety benefits.

(Comr Simon - ALJ Kenney)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569101

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Agenda 3277, Item 49 7/14/2011 (Peevey);

Agenda 3279, Item 33 8/18/2011 (Staff);

Agenda 3281, Item 39 9/22/2011 (Simon);

Agenda 3282, Item 31 10/6/2011 (Florio);

Agenda 3284, Item 39 11/10/2011 (Peevey)

11/22/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Energy Orders (continued)

Item 39 Direct Access Reforms to Provide for Limited Retail Competition

[10646]

R07-05-025

Rulemaking regarding whether, or subject to what Conditions, the suspension of Direct Access may be lifted consistent with Assembly Bill 1X and Decision 01-09-060.

PROPOSED OUTCOME:

- ® Adopts changes in the methodologies to calculate Bundled Utility Customer Indifference as applied to non-bypassable charges to Direct Access (DA) customers.
- ® Revises these methodologies, particularly with respect to the measure of the market based benchmark.
- ® Revises the switching rules that allow for movement of customers between bundled and DA load.
- ® Adopts provisions in conformance with statutory requirements for financial security applicable to Electric Service Providers (ESPs).
- ® These revisions advance the principles of promoting competitive choice for electric procurement within the limits prescribed by statute and Commission rules while protecting ratepayers from cost shifting. We uphold the principle of bundled service customer indifference while recognizing the need to recognize the effects of the partial reopening of DA and the market changes that accompany it.

ESTIMATED COST:

- ® No cost to bundled ratepayers.
- ® DA Customers and ESP's costs may change depending on how the adopted revisions in methodologies affect the relevant DA surcharges and procurement costs.
- ® Precise impacts have not been calculated.

(Comr Ferron - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568974

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3281, Item 40 9/22/2011 (Staff);

Agenda 3282, Item 32 10/6/2011 (Peevey);

Agenda 3283 , Item 35 10/20/2011 (Simon);

Agenda 3284, Item 40 11/10/2011 (Staff)

Regular Agenda - Energy Orders (continued)

Item **Implementation of New Public Utilities Code Section 399.16**
40 **Establishing Renewables Portfolio Standard Portfolio**
[10746] **Content Categories**

R11-05-005

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

PROPOSED OUTCOME:

- ® Implements new Renewable Portfolio Standard (RPS) portfolio content categories.
- ® Establishes new requirements for investor-owned utility advice letters seeking approval of RPS procurement contracts.
- ® Establishes new requirements for determining retail sellers' compliance with new RPS portfolio content categories.

ESTIMATED COST:

- ® Unknown – Subject to Commission approval of individual contracts.

(Comr Ferron - ALJ Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=555178

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3284, Item 21 11/10/2011 (Staff)

Regular Agenda - Energy Orders (continued)

Item **Pacific Gas and Electric Company, San Diego Gas & Electric**
41 **Company, and Southern California Edison Company's**
[10792] **2012-2014 Demand Response Programs, Activities and**
 Budgets

A11-03-001, A11-03-002, A11-03-003 - Related matters.

Application of Pacific Gas and Electric Company for Approval of Demand Response Programs, Pilots and Budgets for 2012-2014.

PROPOSED OUTCOME:

® Adopts demand response Programs and Activities for Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (SCE).

® Authorizes budgets of \$208 million for PG&E, \$184 million for SCE, and \$64 million for SDG&E.

® Closes the proceeding.

ESTIMATED COST:

® \$457,371,966.

(Comr Peevey - ALJ Hymes)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E49534

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Regular Agenda - Energy Orders (continued)

Item **Modification of California Solar Initiative Budget, Revenue**
42 **Requirement and Performance Based Incentives as Adopted**
[10793] **in Decision 06-08-028, Decision 10-09-046 and Decision**
 11-07-031

R10-05-004

Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the California Solar Initiative, the Self-Generation Incentive Program and Other Distributed Generation Issues.

PROPOSED OUTCOME:

- ® The California Solar Initiative (CSI) budget, revenue requirement and performance-based incentive levels are revised to implement Senate Bill 585.
- ® The CSI budget for nonresidential incentives is increased by \$200 million.
- ® The CSI revenue requirement is adjusted to collect the \$200 million budget increase, less accumulated interest and forfeited funds.
- ® CSI Performance-based Incentive payments are revised to reflect a 4% discount rate.

ESTIMATED COST:

- ® Maximum cost of \$200 million (less accumulated interest and forfeited funds) to be collected from electric ratepayers of Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas & Electric Company.

(Comr Peevey - ALJ Duda)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569425

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Regular Agenda - Energy Orders (continued)

Item Procurement Quantity Requirements for Renewables
43 Portfolio Standard

[10795]

R11-05-005

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

PROPOSED OUTCOME:

® Sets renewables portfolio standard procurement quantity requirements for all retail sellers for compliance periods 2011-2013; 2014-2016; and 2017-2020.

ESTIMATED COST:

® Unknown.

(Comr Ferron - ALJ Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568557

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Regular Agenda - Energy Orders (continued)

Item Pacific Gas and Electric Company's \$38 Million Penalty**44**

[10822]

I10-11-013

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company, regarding the Gas Explosion and Fire on December 24, 2008 in Rancho Cordova, California.

PROPOSED OUTCOME:

- ® Affirms \$38 million penalty against Pacific Gas and Electric Company (PG&E) concerning the December 24, 2008 gas explosion in Rancho Cordova, California and adopts stipulations.
- ® Closes the proceeding.

ESTIMATED COST:

- ® PG&E will not seek to recover from customers in rates any portion of the penalty and other costs associated with this decision.

(Comr Simon - ALJ Wong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=555277

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Regular Agenda - Communication Orders**Item New Order Instituting Rulemaking**
45

[10861]

R._____

Order Instituting Rulemaking to Evaluate Telecommunications Corporations Service Quality Performance and Consider Modification to Service Quality Rules.

PROPOSED OUTCOME:

® Opens a rulemaking to review recent telecommunications service quality performance and consider modifications to existing standards and rules.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569496

Regular Agenda - Communication Resolutions and Reports**Item Suspends the Communications Division's Written
46 Disposition of TelePacific's Advice Letter 314**

[10677]

Res T-17344**PROPOSED OUTCOME:**

® Directs parties to the proposed transaction to file an application seeking Commission approval of the processed acquisition of assets.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569584

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3282, Item 19 10/6/2011 (Staff);

Agenda 3283 , Item 12 10/20/2011 (Peevey);

Agenda 3284, Item 44 11/10/2011 (Pub. Util. Code §311(e))

Regular Agenda - Communication Resolutions and Reports (continued)**Item ALTERNATE TO ITEM 10677**
46a

[10804]

PROPOSED OUTCOME:

® This alternate resolution denies the protest of Straishot RC LLC and approves U.S. TelePacific Advice Letter 314 granting authority for the acquisition of the assets, customer base and operating authority of IXCH, Inc., by TelePacific's subsidiary, TelePacific Managed Services.

ESTIMATED COST:

® None.

(Comr Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569588

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3284, Item 44a 11/10/2011 (Pub. Util. Code §311(e))

Item California Advanced Services Fund Rural and Urban
47 Broadband Consortia Grants

[10810]

Res T-17349**PROPOSED OUTCOME:**

® Approves \$1.349 million to fund the cost of broadband deployment activities other than the capital cost of facilities in 2012 by seven consortia grantees.

ESTIMATED COST:

® \$1.349 million.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569534

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Regular Agenda - Communication Resolutions and Reports (continued)

Item ALTERNATE TO ITEM 10810

47a

[10811]

PROPOSED OUTCOME:

® Approves \$1.670 million to fund the cost of broadband deployment activities other than the capital cost of facilities in 2012 by seven consortia grantees.

ESTIMATED COST:

® \$1.670 million.

(Comr Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569732

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Regular Agenda - Water/Sewer Resolutions and Reports

Item **San Jose Water Company's Surcharges to Recover**
48 **\$5,740,078, or an Increase of 2.62% in Annual Metered**
[10613] **Revenue, for Lost Revenues due to Mandatory Conservation**
 - OPTION A

Res W-4885, Supplemental Advice Letter 415-A filed on July 8, 2010 - Related matters.

PROPOSED OUTCOME:

® Order rejecting without prejudice San Jose Water Company's (SJWC) request to amortize its mandatory conservation revenue adjustment memorandum account and referring this issue to be reviewed and resolved in SJWC's next General Rate Case application.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569673

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3280, Item 24 9/8/2011 (Staff);
Agenda 3281, Item 11 9/22/2011 (Staff);
Agenda 3282, Item 8 10/6/2011 (Staff);
Agenda 3283 , Item 7 10/20/2011 (Peevey);
Agenda 3284, Item 48 11/10/2011 (Pub. Util. Code §311(e))

Regular Agenda - Water/Sewer Resolutions and Reports (continued)**Item OPTION B****48a**

[10801]

PROPOSED OUTCOME:

- ® Permits the Utility to transfer \$5,740,078 from its Mandatory Conservation Revenue Adjustment Memorandum Account to a balancing account for recovery.
- ® Permits the Utility to earn interest on the balance in this balancing account at the 90-day commercial paper rate.
- ® Permits the Utility to implement a surcharge of \$0.0944 per 100 cubic feet added to the quantity rates over 12 months to recover in rates the \$5,740,078 in lost revenues.
- ® Permits the Utility to file a Tier 1 Advice Letter to make effective the tariff schedules attached to this Resolution five days after approval of this Resolution.
- ® Permits the Utility to cancel the corresponding tariffs for the presently effective rate schedules listed in Ordering Paragraph 3.

ESTIMATED COST:

- ® \$5,740,078 or 2.62%.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568579

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3284, Item 48a 11/10/2011 (Pub. Util. Code §311(e))

Regular Agenda - Transportation/Rail Safety Resolutions and Reports

Item **Establishes Citation Procedures for the Enforcement of**
49 **Safety Regulations for Violations of General Orders and**
[10749] **Code of Federal Regulation by Gas Corporations**

Res ALJ-274

PROPOSED OUTCOME:

- ® Delegates to Consumer Protection and Safety Division Staff the authority to issue citations and levy fines on gas corporations for violations of General Order 112-E and the Code of Federal Regulations, Title 49, Parts 190, 191, 192, 193, and 199.
- ® Sets forth specific Citation Procedures and an Appeal Process in Appendix A.
- ® Penalties are assessed at the maximum amount set forth in Public Utilities Code § 2107.
- ® Penalty payments are the responsibility of shareholders of the gas corporations and shall not be charged to ratepayers.

ESTIMATED COST:

- ® No costs to ratepayers.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569209

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3284, Item 49 11/10/2011 (Simon)

Regular Agenda - Legal Division Matters

Item	Comments to the Commodity Futures Trading Commission
50	and Securities Exchange Commission Regarding the
[10837]	Definition of “Swap”

California Public Utilities Commission staff request authority to file comments in a joint rulemaking of the Commodity Futures Trading Commission and Securities Exchange Commission regarding whether environmental commodities such as renewable energy credits should be subject to the federal derivatives regulatory regime.

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner Reports

Regular Agenda - Management Reports and Resolutions

Item **Bi-Annual Report of the Stewardship Council**
51
[10231]

Item **Report and Discussion by Consumer Protection and Safety**
52 **Division on Recent Safety Program Activities**
[10816]

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Closed Session - Applications for Rehearing

Item Conference with Legal Counsel - Application for Rehearing
53
[10817]

Compilation of applications for rehearing recently filed with the Commission.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Item Conference with Legal Counsel - Application for Rehearing
54
[10818]
A11-01-003

Disposition of Application for Rehearing and related request for stay of Resolution T-17266, filed by Calaveras, Cal-Ore, Ducor, Foresthill, Happy Valley, Hornitos, Kerman, Pinnacles, Ponderosa, Sierra, Siskiyou, Volcano and Winterhaven telephone companies. This Resolution granted the request of Cricket Communications Inc. for limited eligible telecommunications carrier status for the purpose of offering only Federal LifeLine and Link-up services to qualifying end-user customers.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Applications for Rehearing (continued)

Item Conference with Legal Counsel - Application for Rehearing

55

[10839]

C07-09-010

Disposition of Applications for Rehearing of Decision (D) 08-12-002, filed by Comcast Phone of California, LLC (Comcast) and AT&T Corp. In D08-12-002, the Commission found that Comcast owed unpaid termination charges to Pac-West Telecomm, Inc. for terminating traffic originated by Comcast during the period of April 4, 2004 through August 27, 2007.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Item Conference with Legal Counsel - Application for Rehearing

56

[10859]

A09-08-019

Disposition of two Applications for Rehearing of Decision (D) 10-12-053, filed by the Utility Consumers' Action Network and the Division of Ratepayer Advocates, and by Ruth Henricks. In D10-12-053, the Commission granted, with exceptions, the request by San Diego Gas and Electric Company for "Z-factor" treatment for liability insurance premium and deductible expense increases.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Initiation of Litigation - Non-Federal

Consideration of possible Commission initiation of, or intervention in, litigation.

Gov. Code § 11126(e)(2)(C)(i) and/or § 11126(d)(2), allows this item to be considered in Closed Session.

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Initiation of Litigation - Federal

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Closed Session - Federal

Item Conference with Legal Counsel - Existing Litigation

57

[10821]

ER10-116

Trans Bay Cable LLC, FERC Docket No ER10-116; Staff recommends not opposing the proposed settlement.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - FERC Docket No. EL00-95-000, et al.

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Personnel Matters

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

Gov. Code § 11126(a), allows this item to be considered in Closed Session